

**UNITED STATES DISTRICT COURT  
DISTRICT OF PUERTO RICO**

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In re:

THE FINANCIAL OVERSIGHT AND  
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

THE COMMONWEALTH OF PUERTO RICO, *et al.*,

Debtors.

<sup>1</sup>PROMESA  
Title III

No. 17 BK 3283-LTS

(Jointly Administered)

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SAN JUAN, PR

In re:

THE FINANCIAL OVERSIGHT AND  
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

THE COMMONWEALTH OF PUERTO RICO,

Debtor.

PROMESA  
Title III

No. 17 BK 3283-LTS

**INFORMATIVE MOTION PURSUANT TO ORDER REGARDING  
PROCEDURES FOR ATTENDANCE, PARTICIPATION AND  
OBSERVATION**

I, Javier Mandry, hereby files this Informative Motion pursuant to the Order Regarding Procedures for Attendance, Participation and Observation of the January 30-31, 2019, Omnibus Hearing [Dkt. No. 4863].

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<sup>1</sup> The Debtors in these Title III Cases, along with each Debtor's respective Title III case number and the last four digits of each Debtor's federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (Bankruptcy Case No. 17 BK 3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation ("COFINA") (Bankruptcy Case No. 17 BK 3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority ("HTA") (Bankruptcy Case No. 17 BK 3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico ("ERS") (Bankruptcy Case No. 17 BK 3566-LTS) (Last Four Digits of Federal Tax ID: 9686); and (v) Puerto Rico Electric Power Authority ("PREPA") (Bankruptcy Case No. 17 BK 4780-LTS) (Last Four Digits of Federal Tax ID: 3747). (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

It has come to my attention that the special committee has questioned the validity of more than \$6 billion in debt. Javier Mandry intends to appear and present argument at the January 30-31, 2019 omnibus hearing on behalf of himself in connection with the Urgent Motion of (I) Financial Oversight and Management Board Acting through its Special Claims Committee, and (II) Official Committee of Unsecured Creditors, Under Bankruptcy Code Sections 105(a) and 502 and Bankruptcy Rule 3007, Establishing Procedures with Respect to Omnibus Objection to Claims Filed or Asserted by Holders of Certain Commonwealth General Obligation Bonds and Requesting Related Relief [ECF No. 4788]. I can only attend on January 31, 2019.

Although I agree 100% with the allegations as to why they claim the debt is invalid, I do not agree with the focus the committee has given to seek invalidity of debt. Even though the intention is reasonable, I suggest that it represents a myopic point-of-view of the historical events that represent the fundamental relationship between the United States and Puerto Rico. In my modest opinion and suggestion, it would be a mistake to argue invalidity of the debt in the void without taking into consideration how the debt became a debt in the first place day would require to modify the relationship that the United States has to its territories by means of the Territory Clause of the US Constitution. I will argue that the US Supreme Court case *Limtiaco v. Camacho* 549 U.S. 483 (2007) can be used to convey what it is that occurred in Puerto Rico, and why the question should not be one to determine the validity of lack thereof, but one that should establish the liability for the debt.

This litigant has standing to defend and clarify an issue relating to the Constitution of Puerto Rico and intend to attend and observe the omnibus hearing on behalf of the Ad Hoc Group by video teleconference in a courtroom of the United States District Court for the District of Puerto Rico, 150 Carlos Chardón Street, Federal Building, San Juan, Puerto Rico 00918-1767.

Date: January 28, 2019

By: 

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